

Appln. No. 10/087,691

Attorney Docket No. 10541-1904

II. Remarks

Reconsideration and reexamination of this application in view of the above amendments and the following remarks is herein respectfully requested.

After entering this amendment, claims 1 - 7 and 21-27 remain pending.

Allowable Subject Matter

The Applicants gratefully acknowledge the Examiner's Indication that claims 2-4, 6 and 7 are allowable.

Claim Objections

The Examiner objected to Claim 5 because the limitation "second filter structure" should apparently read "second equalization structure". Claim 5 has been amended to replace the phrase "second filter structure" with the phrase "second equalization structure".

Claim Rejections - 35 USC § 112

Claim 20 was rejected under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. Claim 20 has been cancelled, rendering the rejection moot.

Further Claim Clarifications

Prior to discussing the references, it is believed that a brief discussion of the current form of the independent claims of this application is warranted. Original independent claim 1 of this application has been amended to clarify, more

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particularly to point out and distinctly claim that which the applicant regards as the subject matter of the present invention. Specifically, the claim now recites the additional step of determining if the intermediate result requires additional filtering and then selecting one of outputting outputting the intermediate result as equalized output signal if additional filtering is not required and filtering the intermediate results if additional filtering is required.

Claim Rejections - 35 USC § 102(b)

Claims 1, 8-11, 15-16 and 20 were rejected under 35 USC § 102(b) as being anticipated under U.S. Patent Number 5,983,087 to Milne et al. ("Milne"). Applicant respectfully traverses these rejections.

Regarding Claim 1, the Examiner states that Milne discloses outputting an intermediate result as an equalized output signal when the sequences of addresses in the jump and look up tables indicate that filtering is complete. More specifically, the Examiner stated that the audio data of Milne is processed and outputted to the speakers when the processing is complete. The Examiner reasoned that this processing and outputting of the audio data to the speakers are a type of filtering.

Amended claim 1 has added the additional step of determining if the intermediate result requires additional filtering and then either outputting the intermediate result if additional filtering is not required or filtering the intermediate result if additional filtering is required. There is nothing in Milne to indicate or suggest that a determination is made if the intermediate result requires additional filtering. The processing and outputting of the Intermediate result in Milne is a sequence which always occurs regardless if the intermediate result requires additional filtering. From this, it is submitted that Milne fails to disclose the invention

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claimed. The rejection based thereon should be accordingly withdrawn.

With respect to Claims 8-11, 15-16 and 20, these claims have been cancelled, rendering the rejection moot.

Claim Rejections - 35 USC § 103(a)

Claims 17-19 were rejected under 35 USC § 103(a) as being unpatentable under Milne. Claims 17-19 have been cancelled rendering the rejection moot.

Conclusion

In view of the above amendment and remarks, it is respectfully submitted that the present form of the claims are patentable distinguishable over the art of record and that this application is now in condition for allowance. Such action is requested.

Respectfully submitted,

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Date



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